

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

United States of America,

Plaintiff,

Case No. 17-cr-20483

v.

Judith E. Levy
United States District Judge

Lawrence Michael Wynn,

Mag. Judge Mona K. Majzoub

Defendant.

_____/

**ORDER REGARDING DEFENDANT'S NON-DISPOSITIVE
MOTIONS [29], [30], [31], [32], [39], [40], [41], [44], [48] AND
REQUEST FOR JUDICIAL NOTICE [42]**

On Wednesday March 21, 2018, the Court held a hearing on defendant's non-dispositive motions and defendants request for judicial notice in the above-captioned matter. (Dkt. 29, Dkt. 30, Dkt. 31, Dkt. 32, Dkt. 39, Dkt. 40, Dkt. 41, Dkt. 42, Dkt. 44, Dkt. 48.) The Court reviewed the relevant exhibits and case law, as well as briefing and oral argument from the government and defendant.

As a preliminary matter, defendant stated on the record that he was withdrawing his motion for specific discovery (Dkt. 29) and his motion for pretrial disclosure of all evidence which the government

intends to offer pursuant to Rule 404(b). (Dkt. 31.) Accordingly, defendant's withdrawn motions [29] and [31] are TERMINATED. Additionally, for the reasons set forth on the record,

Defendant's motion to strike indictment [30] is DENIED AS MOOT.

Defendant's motion for severance [32] and defendant's supplemental motion for severance [41] are DENIED.

Defendant's motion to suppress post-arrest statement [39] is DENIED.

Defendant's second motion for specific discovery [40] is DENIED IN PART and HELD IN ABEYANCE IN PART. Defendant's motion is denied with respect to his request for an order requiring the government to produce Officers Nieman and Hopp's personal notebook entries of the incident, PCR, a 911 recorded tape or video broadcast of the incident, vehicle video, and further identification of the red Ford Escape. Defendant's motion with respect to body camera footage is held in abeyance awaiting the government's submission of a declaration regarding whether Officers Nieman and Hopp were wearing body cameras while patrolling on June 12, 2017.

Defendant's request for judicial notice [42] is DENIED.

Defendant's motion in limine [44] is DENIED WITHOUT PREJUDICE.

Defendant's motion for government agents and law enforcement officers to disclose and retain rough notes generated at the debriefing held on August 31, 2017 [48] is DENIED WITHOUT PREJUDICE.

IT IS SO ORDERED.

Dated: March 23, 2018
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 23, 2018.

s/Shawna Burns
SHAWNA BURNS
Case Manager